

306.46 Public utility facilities — public road rights-of-way.

1. A public utility may construct, operate, repair, or maintain its utility facilities within a public road right-of-way. The location of new utility facilities shall comply with [section 318.9](#). A utility facility shall not be constructed or installed in a manner that causes interference with public use of the road.

2. For purposes of [this section](#), “*public utility*” means a public utility as defined in [section 476.1](#), and shall also include waterworks, municipally owned waterworks, joint water utilities, rural water districts incorporated under [chapter 357A](#) or [chapter 504](#), cooperative water associations, and electric transmission owners as defined in [section 476.27](#) primarily providing service to public utilities as defined in [section 476.1](#). For the purposes of [this section](#), “*utility facilities*” means any cables, conduits, wire, pipe, casing pipe, supporting poles, guys, and other material and equipment utilized for the furnishing of electric, gas, communications, water, or sewer service.

3. [This section](#) shall not impair or interfere with a city’s authority to grant, amend, extend, or renew a franchise as provided in [section 364.2](#), and shall not impair or interfere with a city’s existing general police powers to control the use of its right-of-way.

[2004 Acts, ch 1014, §1, 2; 2004 Acts, ch 1049, §191; 2004 Acts, ch 1175, §332, 346; 2005 Acts, ch 3, §61; 2006 Acts, ch 1097, §14; 2016 Acts, ch 1006, §1](#)

Subsection 2 amended